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EXAMINER

SAID, MANSOUR M

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

04/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/516,887

Applicant(s)

SUURPAA ET AL.

Examiner

MANSOUR M. SAID

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 3/17/05 and 10/23/07
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to the amendment filed on March 17, 2008.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 17, 2008 has been entered.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "adjustable decoration" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must

be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 1, 9, 12, 27 and 30, the claimed limitations "decoration is adjustable by a processing component" is not clear that how the decoration is adjusted by the processing component.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Imai (6,259, 045 B 1) in view of Rogers (7,345,592 B2).

As to claim 1, as best understood, Imai teaches Cover for an electronic device comprising a decoration (case, figure 2, (20)) which is visible to a user when said cover is connected to an electronic device (figures 1-7 and column 3, lines 1-31); contact sensitive component (electrodes, (figures 2-7, (15 and 41)), column 1, lines 45-61) arranged such that generates an electrical signal when a part ((hole, (figures 2-3, (21)) of said decoration case, figure 2, (20)) associated to said contact sensitive component (electrodes, (figures 2-7, (15 and 41)), is touched (column 1, lines 45-61, column 3, lines 23-30); and a connection component to electrically connecting said contact sensitive component to a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

Imai teaches a cover for an electronic device includes light emitting.

However, Imai does not expressly teach decoration is adjustable by a processing component.

Rogers teaches an electronic cover including a decoration (led) is adjustable by a processing component (CPU) (figures 1-6 and column 6, lines 29-55).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Rogers's an electronic cover having an LED controlled by CPU into Imai's electronic cover so as to illuminate activated pushbuttons.

As to claims 2 and 20, Imai teaches wherein said contact sensitive component comprise a pressure sensitive film (figures 2-7, column 1, lines 45-61, column 3, lines 23-30, column 4, lines 1-12 and column 6, lines 16-25).

As to claims 3 and 21, Imai teaches wherein said pressure sensitive film is an electromechanical film (figures 2-7, column 1, lines 45-61, column 3, lines 60-67, column 4, lines 62-67 and column 6, lines 20-40).

As to claims 4 and 22, Imai teaches wherein said pressure sensitive film comprises at least one force sensitive resistor (figures 2-7, and column 1, lines 45-61).

As to claims 5 and 23, Imai teaches wherein said contact sensitive component comprise at least one capacitive sensor (figures 2-7, column 1, lines 45-61, column 3, lines 23-30, column 3, lines 50-55 and column 4, lines 5-12).

As to claims 6, 14 and 24, Imai teaches wherein different parts (holes, (figures 2-3, (20)) of said decoration associated to said contact sensitive component result in a generation of different signals by said contact sensitive component when touched (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claims 7, 15 and 25, Imai teaches wherein one or more selected parts (holes, (figures 2-3, (20)) of said decoration (case, figure 2, (20)) are associated to one or more functions enabled by a processor to which said contact sensitive component can be connected via said connection component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claim 8 and 16, Imai teaches further comprising a processing component to which said contact sensitive component is connected via said connection component (figures 2-7,

column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claims 9 and 17, as best understood, Imai teaches an electronic cover includes a decoration is a decoration adjustable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

However, Imai does not expressly teach decoration associated to said contact sensitive component is adjustable by a processing component.

Rogers teaches an electronic cover including a decoration associated to contact sensitive component is adjustable by a processing component (CPU) (figures 1-6 and column 6, lines 29-55).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Rogers's an electronic cover having an LED controlled by CPU into Imai's electronic cover so as to illuminate activated pushbuttons.

As to claims 10 and 18, Imai teaches wherein said adjustable decoration comprises at least one light emitting diode which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-12).

As to claims 11 and 19, wherein said adjustable decoration comprises at least one electro-luminance pattern which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claim 12, as best understood, Imai teaches an electronic device comprising a cover (figures 2-3), which cover comprises, a decoration case, figure 2, (20)) which is visible to a user when said cover is connected to an electronic device(figures 1-7 and column 3, lines 1-31) ; a

contact sensitive component (electrodes, (figures 2-7, (15 and 41)), column 1, lines 45-61) arranged such that it generates an electrical signal when a part of said decoration associated to said contact sensitive component is touched (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67); and; a connection component configured to electrically connect said contact sensitive component to a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

Imai teaches a cover for an electronic device includes light emitting.

However, Imai does not expressly teach decoration is adjustable by a processing component.

Rogers teaches an electronic cover including a decoration (led) is adjustable by a processing component (CPU) (figures 1-6 and column 6, lines 29-55).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Rogers's an electronic cover having an LED controlled by CPU into Imai's electronic cover so as to illuminate activated pushbuttons.

As to claim 13, Imai teaches a data connection to said cover and a processing component configured to processing data received by said contact sensitive component of said cover (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claim 19, Imai teaches wherein said adjustable decoration comprises at least one electro-luminance pattern which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claim 26, Imai teaches wherein said cover further comprises a processing

component to which said contact sensitive component is connected via said connection component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claim 27, as best understood, Imai teaches an electronic cover includes a decoration is a decoration adjustable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

However, Imai does not expressly teach decoration associated to say contact sensitive component is adjustable by a processing component.

Rogers teaches an electronic cover including a decoration associated to contact sensitive component is adjustable by a processing component (CPU) (figures 1-6 and column 6, lines 29-55).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Rogers's an electronic cover having an LED controlled by CPU into Imai's electronic cover so as to illuminate activated pushbuttons.

As to claim 28, Imai teaches wherein said adjustable decoration comprises at least one light emitting diode which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-12).

As to claim 29, Imai teaches wherein said adjustable decoration comprises at least one electro-luminance pattern which is controllable by a processing component (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

As to claim 30, as best understood, Imai teaches a cover (figures 2-3) comprising: means

for presenting a decoration (case, figure 2, (20)) which is visible to a user when said cover is connected to an electronic device; means for generating an electrical signal when a part of said decoration is touched (figures 1-7 and column 3, lines 1-31); and means for electrically connecting said means for generating an electrical signal to means for processing the electrical signal (figures 2-7, column 1, lines 45-61, column 2, lines 30-67, column 3, lines 1-67 and column 4, lines 1-67).

Imai teaches a cover for an electronic device includes light emitting.

However, Imai does not expressly teach decoration is adjustable by a processing component.

Rogers teaches an electronic cover including a decoration (led) is adjustable by a processing component (CPU) (figures 1-6 and column 6, lines 29-55).

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate Rogers's an electronic cover having an LED controlled by CPU into Imai's electronic cover so as to illuminate activated pushbuttons.

Response to Arguments

8. Applicant's arguments with respect to claim 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mansour M. Said whose telephone number is 571-272-7679. The examiner can normally be reached on Monday through Thursday from 8:30-6:00 P.M. The examiner can also be reached on alternate Friday from 8:30 a.m. to 5:00 p.m. EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe whose telephone number is 571-272-7681.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: 571-273-8300 (for Technology Center 2600 only)

Hand-delivered responses should be brought to the Customer Service Window at the Randolph Building, 401, Dulany Street, Alexandria, VA 22314.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Mansour M. Said/

3/24/08

Art Unit: 2629

/Richard Hjerpe/

Supervisory Patent Examiner, Art Unit 2629